

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION**

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	3:09-cr-00008-RLY-CMM-1
vs.)	
)	
JERRON REED,)	
Defendant)	

REPORT AND RECOMMENDATION

On February 19, 2021, the Court held an initial hearing on the Amended Petition for Warrant for Offender Under Supervision filed on February 12, 2021 [Doc. 58]. Jerron Reed (“Defendant”) appeared by video with FCD counsel, Gwendolyn Beitz also appearing by video. The Government appeared by Todd Shellenbarger, Assistant United States Attorney. U. S. Probation appeared by Officer Katrina Sanders. The Defendant consented to conducting the hearing by video online. This matter is heard on a referral from U.S. District Judge Richard L. Young. The Defendant was advised that any recommendation from a magistrate judge was subject to review, acceptance, or rejection by the District Judge, who retains ultimate authority to adjudicate these matters.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. §3583:

1. The Court advised Defendant of his rights and provided him with a copy of the petition. Defendant, by counsel, waived his right to a preliminary hearing.
2. After being placed under oath, Defendant admitted Violation 1 in the 2/12/2021 petition.

3. The allegations to which Defendant admitted, as fully set forth in the amended petition, are:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|----|--|
| 1. | "The defendant must not commit another federal, state or local crime." |
|----|--|

The offender was arrested on May 18, 2020, and charged with Rape and Sexual Battery in Vanderburgh County Case No. 82C01-2005-F3-3120, which occurred on May 5, 2020.

This case was disposed on February 4, 2021. The offender entered a guilty plea to Battery Resulting in Moderate Bodily Injury, a level 6 felony. He was sentenced to 526 days in the Indiana Department of Correction and given credit for time served.

4. The parties stipulated that:

- (a) The highest grade of violation is a Grade **B** violation.
- (b) Defendant's criminal history category is III.
- (c) The range of imprisonment applicable upon revocation of supervised release, therefore, is **8-14** months imprisonment.

5. Parties jointly recommended that defendant serve 14 months with no further supervision upon release.

6. The Magistrate Judge, having considered the factors in 18 U.S.C. §3553(a), and as more fully set forth on the record, finds that:

(a) The Defendant made a voluntary and knowing admission of the Violation 1 set forth in the amended petition;

(b) The agreement of the parties is an appropriate resolution of this matter and the agreement is commended to the favorable consideration of the District Judge.

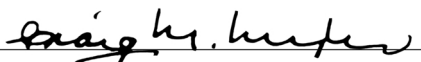
7. In the event the District Judge accepts the recommendation, the remaining alleged violations in the amended petition should be dismissed. Moreover, on motion of the defendant and concurrence of the Government, the original petition [Doc. 44] is ordered dismissed.

Recommendation

Consistent with the parties' agreement, the Magistrate Judge respectfully recommends the Defendant be sentenced to 14 months in the custody of the U.S. Bureau of Prisons and that no term of supervised release be incorporated in the sentence. The defendant requested, and the Magistrate Judge recommends, that the District Judge note a preferred placement at the BOP facility located at Milan, Michigan.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The Defendant is ordered detained pending the District Judge's review of the report and recommendation. The parties each waived the 14-day period within which to appeal this report and recommendation.

Dated: February 19, 2021


CRAIG M. McKEE, Magistrate Judge
United States District Court
Southern District of Indiana

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